

**MINUTES OF THE MEETING OF THE
ARIZONA ENGLISH LANGUAGE LEARNERS TASK FORCE**

September 13, 2007

1:30 p.m., MST

The Arizona English Language Learners (ELL) Task Force met in Hearing Room 3 of the Arizona House of Representatives, 1700 W. Washington Street, Phoenix, Arizona. Mr. Alan Maguire, Chairman, called the meeting to order at 1:38 p.m. MST.

1. Call to Order

Present:

Mr. Alan Maguire, Chairman

Dr. John Baracy

Mr. Jim DiCello

Dr. Eugene Garcia

Ms. Margaret Garcia Dugan

Ms. Johanna Haver

Ms. Eileen Klein

Ms. Karen Merritt

Ms. Anna Rosas

A quorum was present for the purpose of conducting business.

2. Approval of April 12, 2007; April 26, 2007; May 3, 2007; May 17, 2007, May 24, 2007 and June 14, 2007 minutes of Task Force meetings

Mr. Alan Maguire called for the approval of the April 12, 2007, April 26, 2007, May 3, 2007, May 17, 2007, May 24, 2007 and June 14, 2007 minutes. The motion was made by Mr. Jim DiCello and seconded by Ms. Margaret Garcia Dugan. The minutes were approved by eight votes for and one abstention by Dr. Eugene Garcia.

3. Discussion and Possible Amendment and/or Action to Approve Structured English Immersion Models based on the June 15, 2007 draft version

Mr. Alan Maguire stated that all Task Force members should have copies of the June 15, 2007 version of models (Attachment A) and the proposed amendments (Attachment B) based on suggestions and concerns coming out of the two public hearings and e-mails from the field. One exception to this was Amendment Six, which was proposed by the Attorney General's office to clarify language in the draft model.

Amendment One addressed classroom materials to be used in an ELD class. Ms. Anna Rosas suggested spelling out "ELD" as English Language Development because the term was not clearly defined until later in the draft. Mr. Jim DiCello moved that Amendment One with the spelling out of "ELD" be added to the June 15, 2007 draft model. Ms. Margaret Garcia Dugan seconded the motion. The motion was opened for discussion.

Dr. John Baracy asked if the Attorney General's office had looked at this amendment to check consistency with the Flores case. Mr. Maguire stated it had not. Dr. Eugene Garcia requested adding Arizona Standards as content, as only the DSI and ELL Proficiency standards were mentioned. Dr. Garcia stated that the content should be aligned with the Arizona standards.

Mr. Maguire stated that he knew the ELL Proficiency standards are aligned to the Arizona academic standards. However, the impetus of the ELD class is the proficiency standards. Mr. Maguire stated he didn't want to confuse this issue, that the ELD lesson is to teach English language proficiency, not content. Although academic content could be used to teach English language proficiency, it is not an academic content standard that is guiding the instruction, but an ELL proficiency standard. Dr. Garcia expressed concern that students could fall behind in standards assessed on the AIMS. Dr. Garcia emphasized that content used should reflect the Arizona standards.

Dr. Garcia made a motion to amend the language of Amendment One to state "must reflect Arizona content standards" in sentence one. Dr. Baracy seconded the motion. The motion was opened for discussion. Mr. Maguire stated that he opposed this motion because it would create confusion. Ms. Johanna Haver stated that the ELL Proficiency standards were already mentioned in the Amendment. The model is for English Language Development and not for any other content area.

The vote on Dr. Garcia's amended language was two in favor, Dr. Garcia and Dr. Baracy, and seven against, Mr. Maguire, Mr. DiCello, Ms. Margaret Garcia Dugan, Ms. Haver, Ms. Anna Rosas, Ms. Eileen Klein, and Ms. Karen Merritt. The motion failed.

The prior motion on Amendment One made by Mr. DiCello was put to vote. Dr. Garcia and Dr. Baracy voted against. Mr. Maguire, Mr. DiCello, Ms. Garcia Dugan, Ms. Haver, Ms. Rosas, Ms. Klein, and Ms. Merritt voted in favor. The motion to add Amendment One with "ELD" spelled out passed with seven votes for, two against.

Amendment Two addressed the option for second year ELL students to be excused from the academic English reading class and/or the writing and grammar class if they tested proficient in those portions of the AZELLA. Mr. DiCello made the motion to accept the amendment as stated. Ms. Garcia Dugan seconded the motion. The motion was opened for discussion.

Ms. Merritt asked why only reading and grammar and writing, and not oral language, as it was her experience that ELLs approaching proficiency were more likely to test orally proficient. Mr. Maguire stated that it was easier to align reading and grammar than the oral language with the

structure of ELD classes proposed in the model. A language arts class would be comprised of more than oral language. Ms. Merritt stated that she needed further clarification. Dr. Suzy Seibert of Aha! Inc. provided the clarification. Dr. Seibert stated that Intermediate ELL students have no specific oral language class. The daily four hours for students at AZELLA level Intermediate are two hours of English Language Arts, as aligned to the Arizona Language Arts Academic Standards, a one-hour class of ELD titled "Academic English Reading," and a one hour class of ELD titled "Academic English Writing and Grammar." Therefore, the ELL student who tests proficient in reading could opt out of the one hour reading class, and the ELL student who tests proficient in writing could opt out of the one hour English writing and grammar class, but in order for an ELL to opt out of the two hours of English Language Arts, he or she would need much more than proficiency in only oral language. Oral language proficiency cannot exempt an Intermediate ELL from any of the four hours.

Dr. Garcia asked why this option would be only for second and subsequent year ELL students. He asked if the same consideration could be made for first year ELL students. Mr. Maguire stated that the law mandates four hours of ELD for the first year. He asked if Dr. Garcia proposed deleting the first clause of each sentence in Amendment Two to allow students at any time to opt out when they test proficient. Ms. Haver asked how this would be measured. Dr. Garcia replied through the AZELLA.

Dr. Garcia made the motion to strike "in their second or subsequent years" clause in the first and third lines of the amendment. Dr. Baracy seconded the motion. Mr. DiCello opened the discussion with a review of the law. The law states that there must be four hours of ELD in the first year. Dr. Garcia stated that there are programs such as Reading First which could meet the needs of ELD in a different environment. Mr. Maguire stated that there is nothing that prohibits Reading First as long as the program is aligned to the ELL Proficiency Standards. However, a model cannot be in contradiction to the four hour requirement. Ms. Merritt stated that the statute was very clear about requiring four hours the first year. The statute does not address subsequent years.

Dr. Garcia's motion was put to vote. Dr. Garcia and Dr. Baracy voted for; Mr. Maguire, Mr. DiCello, Ms. Garcia Dugan, Ms. Haver, Ms. Rosas, Ms. Klein, and Ms. Merritt voted against the motion. The motion failed with two votes for, seven votes against.

Mr. DiCello's motion to accept Amendment Two was put to vote with no proposed changes. Dr. Garcia voted against. The remainder of the Task Force voted in favor, and the motion passed with eight votes for, and one against.

Amendment Three stated that schools with 16 or fewer ELL students may provide instruction through the development of Individual Language Learner Plans (ILLP) created for each ELL. The scheduling and time allocations in the ILLP must meet the scheduling and time allocation requirements set forth in the SEI Models. This amendment addresses concerns of smaller schools and schools with very low ELL numbers. Ms. Garcia Dugan made the motion to add the

amendment to the draft model. The motion was seconded by Mr. DiCello. The motion was discussed.

Dr. Garcia asked why the number of ELLs was sixteen. Mr. Maguire stated that this number seemed reasonable as it is too small a number for a single ELL class. Dr. Garcia asked for more analysis of the number and the reasoning behind it. Ms. Merritt stated that a number approaching twenty would be large enough for a class size, so somewhere around fifteen or sixteen would be considered too low. Dr. Baracy asked Mr. Maguire how the number was chosen. Ms. Garcia Dugan stated that providing an alternative model for schools with fewer than 16 ELLs gives options for schools with small ELL populations. The Task Force will be in place for four years and can study if this approach works, so the number is not critical. It is not financially viable to have a class of only a few students. Accountability tracks progress of students. Ms. Merritt asked if a template can be developed for schools to use. Mr. Maguire agreed that a template could be developed for ease of review.

The motion was put to vote. Dr. Garcia voted against, the remainder of the Task Force voted in favor of Amendment Three. The motion passed with eight votes for, one vote against.

Amendment Four required an independent review of the DSI, to ensure that it was consistent with the ELL Proficiency standards. Mr. Maguire explained that the DSI is a detailed breakdown of the ELD classes derived from the models. Teachers will be trained on the content of the DSI and how to use it effectively to teach the English language to ELLs. The Task Force will receive the independent review and validation of the DSI.

Dr. Garcia moved to add Amendment Four to the draft model. Mr. DiCello seconded the motion. The motion passed unanimously.

Amendment Five proportionately reduced the time allocation for ELD for half day kindergarten. Mr. DiCello moved to add the amendment to the draft models. Ms. Garcia Dugan seconded the motion. The motion was opened for discussion.

Ms. Klein asked how this amendment works with the current statute's requirements of four hours of ELD. Mr. Maguire stated that he didn't know, and that there was an irreconcilable conflict between the requirement of the ELL law and the fact that the state must offer half day kindergarten as an option. Dr. Baracy commented that all schools can receive funding for full day kindergarten, and asked what percentage of ELL students this would affect. Mr. Maguire stated that a higher percentage of ELL students attend full day kindergarten, but he didn't know the figure offhand. Dr. Garcia stated that cutting the time of ELD in half for half day kindergarten may not be in the best interests of students. He wanted the issue to be studied. Mr. DiCello stated that half day kindergarten affects a very small number of ELLs, and that the number of hours of instruction for half day kindergarten would not allow a full four hours. The models need to give an option to schools who offer half day kindergarten. Ms. Rosas stated that this was an option, not a requirement. Most of the time in instruction in kindergarten is spent on ELD anyway. Dr. Baracy wanted to see how many would be affected before approving.

The motion was put to vote. Dr. Baracy and Dr. Garcia voted against the motion. Mr. Maguire, Mr. DiCello, Ms. Garcia Dugan, Ms. Haver, Ms. Rosas, Ms. Klein, and Ms. Merritt voted in favor. Amendment Five was passed with seven votes for, two against.

Amendment Six was a change in language suggested by the Attorney General's office. Mr. DiCello made the motion to add the amendment to the draft models. Ms. Garcia Dugan seconded the motion. There was no discussion. The motion was adopted with a unanimous vote from the Task Force.

Dr. Garcia had a process question. He stated he had missed the last meeting and would like an opportunity to propose amendments, go through the draft model and that he would like access to some expertise. Mr. Maguire stated that the draft model had been approved on June 14, 2007 for submittal to the JLBC and that it is now September 13. There have been two public hearings and two Task Force meetings to discuss all the issues. Mr. Maguire's contact with expertise was making phone calls to ask people questions, which any Task Force member could do. He had followed Dr. Garcia's wish and provided opportunities for discussion, and met proper process. His concern was delaying the adoption of ELL models any further into the school year. He deferred to the will of the Task Force.

Ms. Haver asked Dr. Garcia if he had been watching the videos of the Task Force meetings or public hearings on streaming video at the ADE website. She commented that the videos are available a day after the meeting, and that she has been using them to review meetings, even those for which she was present. Ms. Rosas commented that she has also used the videos to keep up with meetings. Dr. Garcia stated that other obligations had taken him away and that he had not seen the videos.

Ms. Klein stated that she has lingering concerns about the professional development piece of the program, something an amendment to the draft model may not be able to address. She was not convinced that having a particular endorsement would help with a successful program and wanted to know that the implementation process will allow teachers to gain the training needed. She wanted the Task Force to review the DSI when completed to know if further language in the model is needed. Mr. Maguire agreed that implementation is critical to the success of the program. He would like to see the training program brought to the Task Force for review before implementation.

Ms. Klein asked how many hours of training teachers are expected to take. Mr. Kelt Cooper from ADE replied that once directed by the approval of the model, ADE has planned ten regional, one-day training sessions for policy makers, coordinators, and central administration personnel to go over the laws, the philosophy behind the models, the research, and the history, answering questions about the models. The second phase will be a three-day training session, each class for about thirty to sixty individuals, to go over the methodologies, the DSI, and grouping strategies. The third phase will be on-demand training as dictated by schools and districts. This could be anywhere from a half day to a three day course. In February or March,

ADE would provide another two-day training to refresh the lesson and give new material and guided practice. At the end of the school year, there would be a two day training session to review best practices, implementation issues, and attempt to wrap up what has been learned in the first year of implementation.

There has also been talk of a summer institute, a week long course to teach whatever is believed to be needed. There are fourteen to eighteen individuals ready to provide training throughout the state.

Ms. Rosas asked about the costs involved.

Mr. Cooper replied there were incidental costs only, including the reimbursement of costs for substitutes, etc. ADE is looking at the statewide calendar when scheduling meetings, aware of events such as AIMS testing, which take place statewide. Dr. Baracy asked if there are current funds available for reimbursement. Mr. Cooper said there was not; they would be indicated on the budget form to be approved by the Task Force, which would request the funding for the schools. Dr. Baracy reiterated that currently there were no allocated funds for the training. Mr. Cooper replied there was not.

Ms. Klein asked when the one day overview training will conclude. Mr. Cooper stated that if the model were approved today, they could start training by the week of the 24th. Ms. Klein asked if these are mandatory meetings. Mr. Cooper replied they are not.

Ms. Merritt asked what the maximum possible number of hours of training in a year would be. Mr. Cooper replied that the first meeting is more for administrators than teachers. The teachers would have the three days of DSI training, plus the possible training on demand and follow-up training, for about eight or nine days total. Ms. Merritt asked if the three day training were three continuous days. Mr. Cooper replied yes. He stated that for the summer institute Mr. Kevin Clark had developed a five day training class. The plan is that teachers can take the three day training course, begin implementation, and come back for additional training and to give feedback.

Ms. Haver asked if there will be a manual developed for the training. Mr. Cooper replied that there would be. There would be no cost to schools for the materials in the training courses. Mr. Cooper calculated that with five to seven teams each teaching thirty to sixty individuals, they could train somewhere between three hundred to six hundred teachers per week. The grouping strategies will be part of the training. Unless tailored, it will be focused at all grades.

Dr. Garcia stated that this will be quite a task to train everyone. In his experience, ongoing training will be required for it to work. He appreciated the effort that was going into the training. Mr. Cooper thanked him, and stated that ADE will monitor everything from the delivery of training to the training methods and student progress.

Dr. Baracy asked for the number of ELL students in the state. Mr. Cooper estimated around 135,000. Dr. Baracy asked for the number of teachers who teach ELD, and whether the math works out for this figure, that all teachers will be trained. Mr. Cooper stated that training every teacher would probably not be logistically possible, but that schools and districts could send educators to the training who, in turn, could train their staff. He stated that they did perform the exercise of determining the number of teachers and can return with that information. Dr. Baracy stated that he had also seen a sample model on the ADE website with elementary and middle school class sizes smaller than what the draft model proposes.

Ms. Garcia Dugan replied that the model featured on the website had simply been an example of a possible model. It was based on the program with which she had worked, without regard to resources, and its purpose was to give the field an example. The district had a large amount of desegregation funding which allowed classes of fifteen students. There were other factors in the success of the program; Glendale has a very defined curriculum for ELL students. She stated that it isn't simply about funding amounts or the size of the class but the standardization of the curriculum. It was a standards-based district, and teachers always knew what it was they were expected to teach. They took the curriculum and modified it for ELLs. A large portion of the district's success was the expectation teachers had of what students should learn.

Mr. DiCello asked if once the Task Force approves a model, if that will replace this example. Ms. Garcia Dugan stated that it would.

Mr. DiCello moved that the Task Force adopt the SEI models, as amended today, as appropriate notices have been made, and put it up on the ADE website. The motion was seconded by Ms. Garcia Dugan and opened for discussion.

Dr. Garcia stated that he had been under the assumption the Task Force would see the DSI before voting on the models. Mr. Maguire stated that the DSI was part of the training process. Dr. Garcia stated that he could not vote on the motion until the DSI piece is reviewed and also wanted an opportunity to review and propose amendments to the draft model. He stated that there were hearing issues not attended to by Mr. Maguire. He also asked for clarification of the motion, whether the Task Force would be voting to send this forwards to the JLBC again, or voting to actually adopt the model.

Mr. Maguire stated that the law stipulated that the draft be submitted to the JLBC. This was done, and the JLBC met on July 19 at which time Mr. Maguire explained the model and answered questions. This meeting and discussion with JLBC fulfilled the requirement of the submission to JLBC. There has been no indication from the JLBC, or Attorney General's Office of any further requirements. The changes made today, while important, do not fundamentally change the models; rather they clarify the language. In Chairman Maguire's opinion, they are refinements, not drastic changes. Mr. DiCello stated there was no requirement in the law for a second review. They have met the requirement of the law. Dr. Garcia asked if no response from JLBC equates a "go ahead." Mr. Maguire and Mr. DiCello stated yes, this is correct. Ms. Haver commented that the June 19th JLBC meeting was also posted online.

Dr. Garcia stated that, even though it was an important date, one year from the first ELL Task Force meeting, the Task Force should consider allowing the opportunity to propose additional amendments to the draft model before voting on possible adoption. Ms. Merritt asked what it means to adopt the model, without knowing what the other documents, including the budget request form, the DSI, and the training will look like. Mr. Maguire stated that the DSI is being prepared, and will have a proper review. The Task Force has heard an overview of the training and will have more details once a model has been adopted. This cannot be done until a model has been formally adopted. And, Chairman Maguire continued, the Task Force members have seen a draft of the SEI models budget request form and will continue to work on it before that is adopted, but the budget request form also depends on the adoption of the model first.

Dr. Baracy asked if the Attorney General's Office would be coming to talk about desegregation funding. The current proposed proration of the desegregation expenditure is based on number of ELL students at the school. He had a concern that the proposed distribution may not reflect actual numbers at the schools.

Mr. Maguire asked if Dr. Garcia wanted to make an alternate motion or if they were ready to vote on the motion currently on the floor. Dr. Garcia moved that the Task Force allow time for members to submit additional amendments and that the time limit be set for two weeks. He asked that staff be available for questions from the Task Force members as they were for Mr. Maguire. The motion was seconded by Dr. Baracy.

Ms. Klein stated she would oppose Dr. Garcia's motion because all the Task Force members have busy lives, and while there have been meetings scheduled that she was not able to attend, it is important for all members to consider their ability to participate, especially with the fact that it is a long tenured position. Each Task Force member enhances the group. However, the Task Force cannot allow those instances where members cannot keep updated on events to interfere with activities. Further delay of the ELL models would create obstacles for schools and districts. She expressed a concern about the time frame and the steps for implementation that are ahead.

There was no further discussion of the motion. Dr. Garcia's substitute motion was voted down. Dr. Garcia and Dr. Baracy voted for the motion. Mr. Maguire, Mr. DiCello, Ms. Garcia Dugan, Ms. Haver, Ms. Rosas, Ms. Klein, and Ms. Merritt voted against it. The motion failed with two votes for, seven against.

Mr. DiCello's motion to adopt the amended SEI models was put to vote next. Dr. Baracy stated that A.R.S. 15.756.01D indicated the research-based models shall be the most cost-efficient models that the Task Force can create. He has not seen any cost analysis of the draft models and has no idea what it would cost. There have been no dollars budgeted for the implementation this year. He was concerned this would be an unfunded mandate. He had additional concerns about class size, stating that there was research indicating that class size impacts success. Without a clear idea of the costs involved and no current budgeted funding, he voted against the motion to adopt the draft model.

Ms. Klein expressed gratitude for the testimony from experts in the field and the discussions held in the Task Force meetings. She was pleased at the current progress. She stated that there would be further discussion on items such as the DSI, and looked forward to their continued efforts. She voted yes on the motion.

Mr. DiCello, Ms. Garcia Dugan, Ms. Haver, Ms. Rosas, and Ms. Merritt all voted in favor of adopting the models.

Mr. Maguire voted for the adoption of the models. He stated that the ELL Task Force has worked diligently, thoroughly, and continually for a year on this model and has been mindful of their obligation under the law and the important consequences of their efforts. They have heard from and listened to the advice and expertise of many practitioners in the educational community--teachers, ELL coordinators, and district officials. They have discussed, debated, and deliberated on these models. For that effort, he thanked every member of the Task Force. He also thanked the Department of Education for their support and assistance, in particular Ms. Marlene Johnston, who had prodded him forward every day in the process. He thanked the consultants, Mr. Kevin Clark, Dr. Suzy Seibert, Ms. Cindy Turner, and Ms. Judy Boyer for all of their help and support. Finally, he believed that the Task Force had developed models that meet the strict requirements of the law and will provide an opportunity for English Language Learners to gain greater English proficiency and, in many instances, achieve the goal of proficiency in a period not normally to exceed one year.

The amended models were adopted with seven votes in favor of the motion, and two votes against.

4. Presentation and discussion of upcoming Task Force activities

Chairman Alan Maguire stated that the next task for the Task Force will be to develop a process for the implementation of the models. Ms. Anna Rosas asked that the Task Force also consider a process to give districts the opportunity to submit alternate models. Dr. Eugene Garcia asked for a future agenda item to be a process to consider the alternate models. Mr. Maguire agreed that they needed to put together a procedure for reviewing submitted models.

5. Call to the Public

A call to the public was made at 3:18 p.m. The first speaker was Mr. Kerry Jones, Chief Financial Officer, Yuma Elementary School District. The district has 600 ELL students. He wanted to bring two concerns to the Task Force. At the last meeting, a draft form of the budget request was presented which called for incremental costs which could be offset by Title I, III, and desegregation funding. This would be reimbursed to schools and districts in 2008, not this year, though the incremental costs will take place this year during implementation. There is a

mandatory training from ADE that teachers will need to attend for the ELL models. He roughly calculated that for 180 teachers with fifteen students per class that this would cost \$80,000 to train them. In the Flores case, there was testimony that to offset these costs is supplanting. It would put the state Title I allocation at risk. He asked if the Task Force has addressed this issue. Mr. Alan Maguire stated that the concern was noted and will be discussed.

The second speaker was Ms. Mariela Bean from Humbolt Unified School District. She stated that as an educational practitioner for twenty-eight years in the area of ESL, she wanted to commend the Task Force for the development of prescriptive models that both comply with the laws and guide the ELD instruction. Arizona has spent too many years in an academic environment that failed to provide specific direction to practitioners and failed to create proper accountability. For the first time, there is prescription to practitioners on what to do.

6. Discussion of future meetings

A matrix for October availability dates will be sent to Task Force members shortly for them to complete.

7. Adjournment

Dr. John Baracy moved to adjourn. Mr. Jim DiCello seconded the motion. The meeting adjourned at 3:22 p.m.

Arizona ELL Task Force

Alan Maguire, Chairman
December 13, 2007